

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 1779 – SB 1962

February 14, 2016

SUMMARY OF ORIGINAL BILL: Broadens the stalking offenses under Tenn. Code Ann. § 39-17-315 to include indirect conduct, emotional distress that involves the fear for the safety of a third party, and situations in which one enlists a third party to contact or surveil the victim.

FISCAL IMPACT OF ORIGINAL BILL:

Increase State Expenditures – \$44,700/Incarceration*

Increase Local Expenditures – Exceeds \$1,800/Incarceration**

SUMMARY OF AMENDMENT (012330): Deletes all language after the enacting clause.

Broadens the offense of stalking under Tenn. Code Ann. § 39-17-315 to include indirect contact and contact through a third party. Updates the definition of “unconsented contact” to include modern forms of electronic communication such as posting on social media.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

NOT SIGNIFICANT

Assumptions for the bill as amended:

- Updating the definition of “unconsented contact” will not result in any additional convictions as these are forms of electronic communications currently covered within the stalking statute.
- The bill as amended does broaden the offense by covering indirect contact and contact through a third person. However, it is assumed that this change will not significantly increase admissions for stalking.
- It is assumed that the courts, district attorneys, and public defenders can handle any impact within their existing resources.

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CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in dark ink that reads "Krista M. Lee". The signature is written in a cursive, flowing style.

Krista M. Lee, Executive Director

/trm